

Implementing No Child Left Behind Act of 2001 Requirements
In Public School Academies
By Yvonne W. Mayfield
October 22, 2006

The No Child Left Behind Act of 2001 (NCLB) requires all Title I Local Educational Agencies (LEAs), including public school academies (PSAs), to comply with all NCLB requirements and sanctions identified by the state. These include participation in assessments, planning, teacher and administrator qualifications, and sanctions for schools not making Adequate Yearly Progress (AYP).

LEAs, including public school academies, must offer Choice/Transfer to students attending schools that do not achieve AYP after two consecutive years, and Supplemental Educational Services (SES) for those not meeting AYP after three consecutive years. In the State of Michigan, all LEAs identified for improvement, corrective action or restructuring are in Phases 1 – 7 for not achieving Adequate Yearly Progress and must implement appropriate sanctions according to NCLB guidelines as described in *Title I, Section 1116(e)*.

These LEAs must set aside 20% of their Title I, Part A funds to pay for Choice/Transfer and/or Supplemental Educational Services. Oftentimes, set aside funds are not sufficient to service all eligible students within the LEA; therefore, eligible students are rank-ordered according to academic needs. One additional provision exists regarding set asides for professional development for schools not Achieving Adequate Year Progress for two and three years. 10% of Title I, Part A funds must be designated for professional development activities in areas causing the school to not achieve AYP. Finally, there are strict timelines that must be adhered to for parent notifications and availability of services. The content of the parent notification is specifically defined.

The first provision, Choice/Transfer, provides the opportunity for parents to enroll their children into schools achieving AYP within their district if their children's schools are identified for improvement, corrective action or restructuring. The sending school must pay transportation costs to send students to the newly-selected school as long as it remains in Phases 1 – 7.

However, most public school academies and many small districts do not have multiple building sites with the same grade spans, preventing the transfer of students. For this reason, public school academies may offer parents the opportunity to enroll their children in the public school within the students' attendance areas or to provide extended learning opportunities through SES.

Supplemental Educational Services (SES) are extra academic assistance programs for low-income students attending schools that did not make AYP for three or more years. Allowable services include tutoring, remediation and academic interventions, but must occur beyond the regular school day. State-approved providers are

contracted for services to eligible students at local school and community sites; in students' homes or through distance learning and technology.

Public school academies are responsible for implementing SES according to guidelines. A successful program begins with a well-designed implementation plan. The following steps may provide guidance in planning stages:

Step 1: Contact state-approved providers to determine which companies are willing to service the LEA's students.

Step 2: Utilize Title I, Part A worksheets to determine the amount of funds that will be allocated per child. This determines the number of students who can be serviced based on the LEA's set aside. Parents should understand that the length and number of SES sessions will be determined by the cost of programs per provider, less any additional fees for registration or assessment.

Step 3: Notify parents about the availability of services for eligible students.

Step 4: Provide sufficient information about providers to parents so that they may select best available services based on needs of their children. Literature may be sent home about all participating providers or host a providers' fair so that parents may view and discuss SES offerings. **The selection of providers must be parent-driven. All participating providers must be given the opportunity to participate in the selection process.**

Step 5: Determine how much space is available at the school so that as many children as possible can participate at the learning site. Many SES providers prefer offering services at the local school. A fair process should be established to determine the number and identification of providers that can offer services at the local site. Usually, providers selected by the highest number of parents are given priority for working at the local school site.

Step 6: Negotiate contracts with providers selected to service students.

Step 7: Determine the starting and ending dates for your programs. Assure that providers carry-out their responsibilities, which include:

- Setting specific achievement goals for the student, which must be developed in consultation with the student's parents.
- Providing a description of how the student's progress will be measured and how the student's parents and teachers will be regularly informed of that progress.
- Establishing a timetable for improving student's achievement.
- Establishing processes for communication of student goals and progress to parents and teachers.

Title I provisions in NCLB are designed to assist every child in achieving state standards. Implementing successful Choice/Transfer or Supplemental Educational Services programs provide extra resources and learning opportunities for students attending schools not achieving Adequate Yearly Progress. Public school academies are required to adhere to all provisions of NCLB. Field Services Consultants are available to answer further questions regarding implementation of these programs.